

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

LORD BEYAH,

Petitioner,

v.

UNITED STATES OF AMERICA,

Respondent.

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Civ. No. 16-4480 (RBK)

MEMORANDUM AND ORDER

Petitioner is a federal prisoner proceeding *pro se* with a motion to vacate, set aside or correct his sentence pursuant to 28 U.S.C. § 2255. Previously, this Court sent petitioner the required notice pursuant to *United States v. Miller*, 197 F.3d 644 (3d Cir. 1999). Petitioner responded with a motion to withdraw his original § 2255 motion and filed what he entitled an all-inclusive § 2255 motion. (*See* Dkt. No. 5)

Typically, at this time, this Court would screen petitioner's all-inclusive § 2255 motion to determine whether ordering an answer is warranted. *See* Rule 4, Rules Governing Section 2255 Proceedings. However, it appears as if petitioner's all-inclusive § 2255 motion is incomplete. Indeed, this Court only received two pages of petitioner's all-inclusive § 2255 motion. It ends abruptly and apparently in the middle of petitioner's discussion section. Therefore, before this Court screens this motion, it shall give petitioner the opportunity refile his all-inclusive motion to the extent that the version received by this Court was incomplete. Petitioner's failure to respond to this order will result in this Court granting petitioner's motion to withdrawal his original § 2255 motion and screening the two pages that make up his new all-inclusive § 2255 motion to determine whether ordering an answer is warranted under Rule 4 of the Rules Governing Section 2255 Proceedings.

Accordingly, IT IS this 19th day of May, 2017,

ORDERED that petitioner shall have thirty (30) days in which to refile his proposed all-inclusive § 2255 motion as the all-inclusive § 2255 motion he included in Dkt. No. 5 appears to be missing pages; and it is further

ORDERED that petitioner's failure to respond to this order within the time allotted will result in this Court screening petitioner's all-inclusive § 2255 motion (*See* Dkt. No. 5 at p.2-3) to determine whether ordering an answer is warranted; and it further

ORDERED that the Clerk shall serve this order on petitioner by regular U.S. mail.

s/Robert B. Kugler
ROBERT B. KUGLER
United States District Judge